

CHAPTER 9
SOLID FUEL BURNING DEVICES
Subchapter 1 – General Provisions

Rule 9.101 – Intent

The intent of this rule is to regulate and control the emissions of air pollutants from solid fuel burning devices in order to further the policy and purpose declared in Chapter 1.

Rule 9.102 – Definitions

For the purpose of this rule the following definitions apply:

- (1) “Burning season” means from the first day of July through the last day of June of the following year.
- (2) “Alert permit” means an emission permit issued by the department to operate a solid fuel burning device during an air pollution Alert and during periods when the air stagnation plan is not in effect. Solid fuel burning devices must meet Lowest Achievable Emission Rate to qualify for an Alert class emissions permit.
- (3) “Install” means to put in position for potential use, and includes bringing a manufactured home or recreational vehicle containing a solid fuel burning device into the County.
- (4) “Installation permit” means an emissions permit issued by the department to install and operate a solid fuel burning device within the County.
- (5) “EPA method” means 40 CFR Part 60, Subpart AAA, Sections 60.531, 60.534, and 60.535.
- (6) “Fireplace” means a solid fuel burning device with an air-to-fuel ratio of greater than thirty which is a permanent structural feature of a building. A fireplace is made up of a concealed masonry or metal flue, and a masonry or metal firebox enclosed in decorative masonry or other building materials.
- (7) “New solid fuel burning device” means any solid fuel burning device installed, manufactured, or offered for sale inside the Missoula Air Stagnation Zone after July 1, 1986 or outside the Missoula Air Stagnation Zone in Missoula County after May 14, 2010.
- (8) “Oregon method” means Oregon Department of Environmental Quality “Standard Method for Measuring the Emissions and Efficiencies of Woodstoves”, Sections I through 8 and O.A.R. Chapter 340. Division 21 Sections 100, 130, 140, 145, 160, 161, 163, 164, 165.
- (9) “Pellet stove” means a solid fuel burning device designed specifically to burn pellets or other non-fossil biomass pellets that is commercially produced, incorporates induced air flow, is installed with an automatic pellet feeder, and is a free standing room heater or fireplace insert.
- (10) “Solid fuel burning device” means any fireplace, fireplace insert, woodstove, wood burning heater, wood fired boiler, coal-fired furnace, coal stove, or similar device burning any solid fuel used for aesthetic, cooking, or heating purposes, that burns less than 1,000,000 BTU’s per hour.
- (11) “Sole source of heat” means one or more solid fuel burning devices that:
 - (a) constitute the only source of heat in a private residence for purpose of space heating, or
 - (b) constitutes the main source of heat in a private residence where the residence is equipped with a heating system that is only minimally sufficient to keep the plumbing from freezing.
- (12) “Woodstove” means a wood fired appliance with a heat output of less than 40,000 BTU per hour with a closed fire chamber that maintains an air-to-fuel ratio of less than thirty during the burning of 90 percent or more of the fuel mass consumed in a low firing cycle. The low firing cycle means

less than or equal to 25 percent of the maximum burn rate achieved with doors closed or the minimum burn achievable, whichever is greater. Wood fired forced air combustion furnaces that primarily heat living space, through indirect heat transfer using forced air duct work or pressurized water systems are excluded from the definition of “woodstove”.

Rule 9.103 – Fuels

- (1) Within Missoula County a person may not burn any material in a solid fuel burning device except uncolored newspaper, untreated wood and lumber, and products manufactured for the sole purpose of use as fuel. Products manufactured or processed for use as fuels must conform to any other applicable provision of this Program.

Rule 9.104 – Non-Alert Visible Emission Standards

- (1) A person owning or operating a solid fuel burning device may not cause, allow, or discharge emissions from such device that are of an opacity greater than forty (40) percent.
- (2) The provisions of this section do not apply to emissions during the building of a new fire, for a period or periods aggregating no more than ten (10) minutes in any four (4) hour period.